

**AMENDMENT No. 1**  
**TO THE AMENDED AND RESTATED GILA RIVER INDIAN COMMUNITY WATER**  
**RIGHTS SETTLEMENT AGREEMENT**

**THIS AMENDMENT No. 1 TO THE AMENDED AND RESTATED GILA RIVER INDIAN COMMUNITY WATER RIGHTS SETTLEMENT AGREEMENT**, dated as of \_\_\_\_\_ is entered into among the United States of America; the State of Arizona; the Gila River Indian Community; the Salt River Project Agricultural Improvement and Power District; the Salt River Valley Water Users' Association; the Roosevelt Irrigation District; the Roosevelt Water Conservation District; Arizona Water Company; the Arizona cities of Casa Grande, Chandler, Coolidge, Glendale, Goodyear, Mesa, Peoria, Phoenix, Safford, Scottsdale, and Tempe; the Arizona towns of Florence, Mammoth, Kearny, Duncan and Gilbert; the Maricopa-Stanfield Irrigation & Drainage District; the Central Arizona Irrigation and Drainage District; Franklin Irrigation District; Gila Valley Irrigation District, the San Carlos Irrigation and Drainage District; the Hohokam Irrigation and Drainage District; the Buckeye Irrigation Company; the Buckeye Water Conservation and Drainage District; Central Arizona Water Conservation District; Phelps Dodge Corporation; and the Arizona Game and Fish Commission.

## **1.0    RECITALS**

**1.1    WHEREAS**, on or about October 21, 2005, the Parties finalized the terms of the Agreement;

**1.2    WHEREAS**, the October 21, 2005 version of the Agreement (hereinafter “October 21, 2005 Version”) was:

**1.2.1**    submitted to the Secretary for her approval and execution as provided in the Arizona Water Settlements Act, Public Law 108-451; and

**1.2.2**    distributed to the Parties via compact disk;

**1.3    WHEREAS**, certain Parties, including the Secretary, executed the October 21, 2005 Version; and

**1.4    WHEREAS**, the Parties wish to address certain errors and omissions in specific Exhibits to the October 21, 2005 Version through this Amendment No. 1.

**NOW, THEREFORE**, the Parties agree as follows:

## **2.0    DEFINITIONS**

**2.1**    For purposes of this Amendment No. 1, the capitalized terms shall have the meanings set forth in the October 21, 2005 Version.

**2.2** “Amendment No. 1” shall mean this Amendment No. 1 to the Amended and Restated Gila River Indian Community Water Rights Settlement Agreement.

**3.0 AMENDMENT TO OCTOBER 21, 2005 VERSION**

**3.1** The October 21, 2005 Version is amended by replacing the version of:

**3.1.1** the Amended and Restated Agreement Between the Gila River Indian Community, the San Carlos Irrigation and Drainage District, the United States and the City of Safford attached to the October 21, 2005 Version as Exhibit 26.1 with the document attached hereto as Attachment No. 1; and

**3.1.2** the Forbearance Agreement Among the Gila River Indian Community, the United States of America, the San Carlos Irrigation and Drainage District, the Franklin Irrigation District, the Gila Valley Irrigation District, and Other Parties Located In the Upper Valley of the Gila River attached to the October 21, 2005 Version as Exhibit 26.2 with the document attached hereto as Attachment No. 2.

**4.0 APPROVAL CONSENT AND RATIFICATION**

Each Party, by execution of the signature pages by its duly authorized representative(s), does hereby approve, endorse, consent to and ratify this Amendment No. 1.

**5.0 MISCELLANEOUS**

**5.1** Except as otherwise provided in paragraph 3.0 of this Amendment No. 1, nothing in this Amendment No. 1 shall be construed to alter or amend any provision of the October 21, 2005 Version.

**5.2** This Amendment No. 1 may be executed in multiple counterparts, each of which shall be considered an original and all of which, taken together, shall constitute one agreement.

**6.0 EXECUTION BLOCKS**

**IN WITNESS WHEREOF**, the Parties have executed this Amendment No. 1 to the October 21, 2005 Version of the Amended and Restated Gila River Indian Community Water Rights Settlement Agreement dated as of the day and year first above written.

**THE UNITED STATES OF AMERICA**

By:\_\_\_\_\_

Dated:\_\_\_\_\_

Secretary of the Interior

**THE STATE OF ARIZONA**

By:\_\_\_\_\_

Dated:\_\_\_\_\_

Governor

Attest:\_\_\_\_\_

Secretary of State

**GILA RIVER INDIAN COMMUNITY**

By:\_\_\_\_\_

Dated:\_\_\_\_\_

Governor

Attest:\_\_\_\_\_

Approved as to form:

\_\_\_\_\_

General Counsel

**SALT RIVER PROJECT AGRICULTURAL  
IMPROVEMENT AND POWER DISTRICT**

By:\_\_\_\_\_

Dated:\_\_\_\_\_

President

Attest and Countersigned: \_\_\_\_\_

Secretary

Approved as to form:

\_\_\_\_\_

Attorney



**SALT RIVER VALLEY WATER USERS' ASSOCIATION**

By: \_\_\_\_\_

Dated: \_\_\_\_\_

President

Attest and Countersigned: \_\_\_\_\_

Secretary

Approved as to form:

\_\_\_\_\_

Attorney

**ROOSEVELT IRRIGATION DISTRICT**

By: \_\_\_\_\_

Dated: \_\_\_\_\_

President

Attest: \_\_\_\_\_

Secretary

Approved as to form:

\_\_\_\_\_

General Counsel

**THE ROOSEVELT WATER CONSERVATION DISTRICT**

By:\_\_\_\_\_

Dated: \_\_\_\_\_

President

Attest:\_\_\_\_\_

Secretary

Approved as to form:

\_\_\_\_\_

General Counsel

**ARIZONA WATER COMPANY**

By: \_\_\_\_\_

Dated: \_\_\_\_\_

President

Attest: \_\_\_\_\_

Secretary

Approved as to form:

\_\_\_\_\_

General Counsel

**CITY OF CASA GRANDE**

By: \_\_\_\_\_

Dated \_\_\_\_\_

Mayor

Attest: \_\_\_\_\_

City Clerk

Approved as to form:

\_\_\_\_\_

City Attorney

**CITY OF CHANDLER**

By: \_\_\_\_\_

Dated: \_\_\_\_\_

Mayor

Attest: \_\_\_\_\_

City Clerk

Approved as to form:

\_\_\_\_\_

City Attorney

**CITY OF COOLIDGE**

By: \_\_\_\_\_

Dated:\_\_\_\_\_

City Manager

Attest: \_\_\_\_\_

City Clerk

Approved as to form:

\_\_\_\_\_

City Attorney

**CITY OF GLENDALE**

By: \_\_\_\_\_

Dated:\_\_\_\_\_

City Manager

Attest: \_\_\_\_\_

City Clerk

Approved as to form:

\_\_\_\_\_

City Attorney



**CITY OF GOODYEAR**

By: \_\_\_\_\_

Dated:\_\_\_\_\_

City Manager

Attest: \_\_\_\_\_

City Clerk

Approved as to form:

\_\_\_\_\_

City Attorney

**CITY OF MESA**

By: \_\_\_\_\_

Dated:\_\_\_\_\_

City Manager

Attest: \_\_\_\_\_

City Clerk

Approved as to form:

\_\_\_\_\_

City Attorney

**CITY OF PEORIA**

By: \_\_\_\_\_

Dated:\_\_\_\_\_

City Manager

Attest:\_\_\_\_\_

City Clerk

Approved as to form

\_\_\_\_\_

City Attorney

**CITY OF PHOENIX**

By: \_\_\_\_\_

Dated:\_\_\_\_\_

Mayor

By: \_\_\_\_\_

Dated:\_\_\_\_\_

Chairman, Phoenix City Council Natural Resources Subcommittee

By: \_\_\_\_\_

Dated:\_\_\_\_\_

City Manager

Attest: \_\_\_\_\_

City Clerk

Approved as to form:

\_\_\_\_\_

City Attorney

**CITY OF SAFFORD**

By: \_\_\_\_\_

Dated: \_\_\_\_\_

City Manager

Attest: \_\_\_\_\_

City Clerk

Approved as to form:

\_\_\_\_\_

City Attorney

**CITY OF SCOTTSDALE**

By: \_\_\_\_\_

Dated:\_\_\_\_\_

Mayor

Attest: \_\_\_\_\_

City Clerk

Approved as to form:

\_\_\_\_\_

City Attorney

**CITY OF TEMPE**

By: \_\_\_\_\_

Dated: \_\_\_\_\_

Mayor

Attest: \_\_\_\_\_

City Clerk

Approved as to form:

\_\_\_\_\_

City Attorney

**TOWN OF FLORENCE**

By: \_\_\_\_\_

Dated:\_\_\_\_\_

Town Manager

Attest: \_\_\_\_\_

Town Clerk

Approved as to form:

\_\_\_\_\_

Town Attorney



**TOWN OF MAMMOTH**

By: \_\_\_\_\_

Dated:\_\_\_\_\_

Town Manager

Attest: \_\_\_\_\_

Town Clerk

Approved as to form:

\_\_\_\_\_

Town Attorney

**TOWN OF KEARNY**

By: \_\_\_\_\_

Dated:\_\_\_\_\_

Town Manager

Attest: \_\_\_\_\_

Town Clerk

Approved as to form:

\_\_\_\_\_

Town Attorney

**TOWN OF DUNCAN**

By: \_\_\_\_\_

Dated:\_\_\_\_\_

Town Manager

Attest: \_\_\_\_\_

Town Clerk

Approved as to form:

\_\_\_\_\_

Town Attorney

**TOWN OF GILBERT**

By: \_\_\_\_\_

Dated:\_\_\_\_\_

Town Mayor

Attest: \_\_\_\_\_

Town Clerk

Approved as to form:

\_\_\_\_\_

Town Attorney

**MARICOPA-STANFIELD IRRIGATION  
& DRAINAGE DISTRICT**

By: \_\_\_\_\_

Dated: \_\_\_\_\_

President

Attest: \_\_\_\_\_

Secretary

Approved as to form:

\_\_\_\_\_

District's Attorney

**CENTRAL ARIZONA IRRIGATION AND  
DRAINAGE DISTRICT**

By: \_\_\_\_\_

Dated:\_\_\_\_\_

President

Attest: \_\_\_\_\_

Secretary

Approved as to form:

\_\_\_\_\_

District's Attorney

**SAN CARLOS IRRIGATION  
AND DRAINAGE DISTRICT**

By: \_\_\_\_\_

Dated:\_\_\_\_\_

President

Attest: \_\_\_\_\_

Secretary

**HOHOKAM IRRIGATION AND DRAINAGE DISTRICT**

By: \_\_\_\_\_

Dated:\_\_\_\_\_

President

Attest: \_\_\_\_\_

Secretary

Approved as to form:

\_\_\_\_\_

District's Attorney



**BUCKEYE IRRIGATION COMPANY**

By: \_\_\_\_\_

Dated:\_\_\_\_\_

President

Attest: \_\_\_\_\_

Secretary

Approved as to form:

\_\_\_\_\_

General Counsel

**BUCKEYE WATER CONSERVATION  
AND DRAINAGE DISTRICT**

By: \_\_\_\_\_

Dated:\_\_\_\_\_

President

Attest: \_\_\_\_\_

Secretary

Approved as to form:

\_\_\_\_\_

General Counsel

**FRANKLIN IRRIGATION DISTRICT**

By: \_\_\_\_\_

Dated:\_\_\_\_\_

Attest: \_\_\_\_\_

Secretary

**GILA VALLEY IRRIGATION DISTRICT**

By: \_\_\_\_\_

Dated: \_\_\_\_\_

President

Attest: \_\_\_\_\_

Secretary

**CENTRAL ARIZONA WATER CONSERVATION DISTRICT**

By: \_\_\_\_\_

Dated:\_\_\_\_\_

President

Attest: \_\_\_\_\_

Secretary

Approved as to form:

\_\_\_\_\_

General Counsel

**PHELPS DODGE CORPORATION**

By: \_\_\_\_\_

Dated:\_\_\_\_\_

President

Attest: \_\_\_\_\_

Secretary

Approved as to form:

\_\_\_\_\_

Counsel

**ARIZONA GAME AND FISH COMMISSION**

By: \_\_\_\_\_

Dated:\_\_\_\_\_

Commissioner

Approved as to form:

\_\_\_\_\_

Counsel